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A TRUE
ACCOUNT
OF THE
Tryal and Conviction

OF THAT

Notorious High-way-man Captain *JAMES WHITNEY*, at
the *Old-Baily*, *Wednesday* the 18th of this instant *January*, 1692,
for the great and famous Robbery at *Mims-wash*.

When any famous Malefactor, especially a Brother of the Pad, comes to the Bar of Justice, he generally divides the Affections of the People; one Party are for crying, He is a very fine Gentleman, a bold brave Fellow, and tis pitty but he should be saved. The other Party in the other extream, are bellowing out on him for a great Villain. How many honest Men has he undone? A meer Pest to the Nation, and tis the best thing the Government can do to make a clear riddance of such Vermine, and fairly hang 'em all out of the way. Much such a divided share of Popular Favour on one side, and Odium on the other has been our Captain's Portion since his Commitment to Newgate: And on Tuesday being brought upon his first Tryal for a Burglary committed upon the House of a Miller, the Evidence against him not rising high enough to the positive Proof required, though his Person was exactly described as a main Actor in the Fact, yat his face being muffled with a kind of half Vizor, the Tenderneß both of the Witnesses, and the Consciences of the Jury could not fix the Fact sufficiently upon him, inso-much that he was acquitted of that Indictment. Hereupon his favourite Party grew loud upon the matter; 'twas a publick Outcry in the Town, That he had stood at least half a dozen Indictments, and with flying Colours got clear from 'em all: that no body either could or would appear against him: that before the morrow night he would certainly be bayled out, and as free as an Alderman. This Cant run so currant, that his Life and Death, like a Siege of Mons or Namure, grew the subject of very griat Wagers, and Odds offered on the saving side; nay, some were so positive of his Safety, that a small matter would make 'em share hit Destiny, and hang with him if he died this bout.

But to turn the currant of all this Noise, yesterday being Wednesday, after Dinner, himself, Ben. Callow, and Stafford were all three set up to the Bar together, and all indicted for that great and famous Robbery committed at *Mims-wash*, which has already rung so loud in all ears, where the Country Lace-men were rob'd of several hundred Pounds, and all other Passengers either rob'd or stoppt, most of their Horses being barbarously killed by the High-way-men to prevent the danger of a Pursuit.

The chief Evidence against them were four honest Country-men who all swore home; more especially one of them, as to Capt. Whitney, the Testimony being very positive, (though not affecting Callow nor Stafford, who were acquitted:) The Evidence were a Lace-man's Boy of *Nemport-Pagnet*, a Haberdasher, and a Pedler, &c. the Fact in fine appeared so plain, that the jury with little matter of consult upon the Verdict, brought him in Guilty. At which he very boldly told the Court, *They had done all they could do.* From thence he was ushered on foot to Major *Richardson*'s own house, and now lies to expect his Sentence accordingly.